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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/705,761	11/10/2003	Matt Clark	109927-135182	4380
25943	7590	10/31/2006	EXAMINER	
SCHWABE, WILLIAMSON & WYATT, P.C. PACWEST CENTER, SUITE 1900 1211 SW FIFTH AVENUE PORTLAND, OR 97204			WOO, ISAAC M	
		ART UNIT	PAPER NUMBER	2166

DATE MAILED: 10/31/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/705,761	CLARK ET AL.	
	Examiner	Art Unit	
	Isaac M. Woo	2166	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 28 August 2006.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1,2,4 and 6-15 is/are pending in the application.
 - 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1,2,4,6-13 and 15 is/are rejected.
- 7) Claim(s) 14 is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO/SB/08)
 Paper No(s)/Mail Date _____.
- 4) Interview Summary (PTO-413)
 Paper No(s)/Mail Date. _____.
- 5) Notice of Informal Patent Application
- 6) Other: _____.

DETAILED ACTION

1. This action is in response to Applicant's Amendment, filed on August 28, 2006 have been considered but are deemed moot in view of new ground of rejections below.

2. Claims 1-2, 4 and 6-13 are amended. Claims 14-15 are newly added. Claims 13 and 5 are canceled. Claims 1-2, 4 and 6-15 are pending.

Claim Rejections - 35 USC § 112

5. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

6. Claims 1 and 15 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

"vendor-agnostic" in line 3 and in line 12 of claim 1, and in line 3 of claim 15, are new matter which is ^{by} ^(MA) ~~does~~ not supported ~~from~~ specification. Thus, claim 1 is rejected under 35 U.S.C. 112 first.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-2, 4, 6-13 and 15 are rejected under 35 U.S.C. 102(e) as being anticipated by Jammes et al (U.S. Patent No. 6,484,149, hereinafter, "Jammes").

With respect to claim 1, Jammes teaches formulating, by a client device (i.e., 112 web browser in fig.3), a vendor-agnostic data service request to be fulfilled by one or more vendors (i.e., user input event in fig. 3), the formulating including depicting, by the client device, a first set of user interface components corresponding to one or more of concepts of a feature tree having a plurality of concepts (i.e., 304, tree structure control in fig. 3), facilitating, by the client device, a user in selecting a first user interface component from the first set of user interface (i.e., 312, SQL query in fig. 3) and comprising at least the one or more concepts corresponding to the first user interface components (i.e., 310 in fig. 3, col. 11, lines 11-67); forming, by the client device, a concept set comprising at least the one or more concepts corresponding to the first user interface component (i.e., 310 in fig. 3) and sending, by the client device, the vendor-

agnostic data service request to framework service adapted to determine the one or more vendors to fulfill the request or to further provide the request to a service providing server capable of determining the one or more vendors to fulfill the request (i.e., SQL query in fig. 3, col. 11, lines 11-67, col. 16, lines 26-61); and receiving, by the client device, from the framework service, a solution set including service responses from the one or more vendors to the request (col. 16, lines 26-61).

With respect to claim 2, Jammes teaches concept set comprises XML descriptions of the concepts (col. 6, lines 5-65).

With respect to claim 4, Jammes teaches dynamically adding additional concepts to the feature tree in based at least in part on the solution set (fig. 3, col. 11, lines 11-67).

With respect to claim 6, Jammes teaches data describing the first user interface component (fig. 3, col. 11, lines 11-67).

With respect to claim 7, Jammes teaches retrieving, by the client device, data describing possible values for the concepts (col. 16, lines 26-61).

With respect to claim 8, Jammes teaches concept set is formed as a traversable structure with accessible concepts (col. 16, lines 26-61).

With respect to claim 9, Jammes teaches accessing the concept set at one of the accessible concepts accessing (col. 16, lines 26-61).

With respect to claim 10, Jammes teaches forming a new set by facilitating a user in selecting a second user interface component corresponding to an alternate concept (fig. 3, col. 11, lines 11-67).

With respect to claims 11-12, these claimed limitations are rejected as same reason as above.

With respect to claim 13, Jammes teaches the apparatus is a wireless mobile phone (col. 7, lines 6-65).

With respect to claim 15, Jammes teaches a second set of user interface components corresponding to the solution set including the one or more vendor service responses to the vendor-agnostic service request (col. 11, lines 11-67, col. 16, lines 26-61).

Allowable Subject Matter

5. Claim 14 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Contact Information

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Isaac M. Woo whose telephone number is (571) 272-4043. The examiner can normally be reached on 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain T. Alam can be reached on (571) 272-3978. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

IW
October 23, 2006


HOSAIN ALAM
SUPERVISORY PATENT EXAMINER